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C O N F I D E N T I A L SECTION 01 OF 03 MOSCOW 001184

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TAGS: [PREL](#) [KCFE](#) [PGOV](#) [MARR](#) [RS](#)
SUBJECT: CFE: A WAY FORWARD

REF: A. USOSCE 98
 1B. RUSSIAN NON-PAPER ON EST ARMS CONTROL FAXED TO
 EUR/RUS
 1C. 07 MOSCOW 5749

Classified By: CDA Eric Rubin, reasons 1.4(b) and (d)

11. (C) Summary. Although Russian Foreign Ministry officials would like to overcome the impasse over the Conventional Forces in Europe Treaty (CFE), other Russian interagency voices argue for its annulment. As noted in the non-paper provided to A/S Gottemoeller April 24, the MFA is prepared to continue working on the basis of the Parallel Actions Package, but it is clear that Russia's actions in Georgia have seriously complicated the likelihood of reaching a satisfactory agreement on fulfillment of the Istanbul Commitments. In keeping with the analysis from USOSCE (ref A), we believe that modifying the Parallel Actions Package to adjust it to current realities (without conceding Russian positions on Abkhazia, South Ossetia and the Gudauta base), and delinking the explicit preconditionality regarding Russian forces in the separatist regions from submission of the Adapted CFE Treaty for ratification, may provide the needed impetus to elicit necessary compromises on Russia's part.

12. (C) At the same time, we would urge U.S. development of alternate formulas or transparency/confidence-building proposals as a replacement to the A/CFE flank regime that would be attractive to the U.S. and the Allies. Indeed, this was suggested by Antonov in his April 24 aide memoire, and could provide a means to resolve the other major outstanding issue at a critical point of U.S. choosing. We could also explore Russia's suggestion to look at CFE as a useful tool to help support the arms control elements within Medvedev's European Security Treaty (EST) proposal (ref B). Russia has suggested the U.S. and Russia meet before the June 10 security conference in Berlin to discuss CFE. While this timeline probably is not realistic given Washington imperatives, an informal bilateral on the margins in Berlin may give us the opportunity to explore the way forward. End summary.

Russian Interagency Divided on CFE

13. (C) Since December, MFA officials have asked several times when the U.S. intends to resume negotiations on CFE, each time noting divisions within the Russian interagency over how to proceed. While MFA European Directorate Vladimir Voronkov stressed the Ministry's willingness to work off the basis of the Parallel Actions Package, he conceded that some in the Russian Government were opposed to resuming participation in CFE and to seeing the Adapted treaty enter into force. (Note:

The MOD has never liked CFE since it is seen as limiting the freedom with which Moscow can deploy its military forces and equipment.) Voronkov commented that it was still possible to reach an agreement, but "it would not be a tragedy if it died." Still, most experts argue that Russia does not want to be seen as the one to kill the treaty, and would be more likely to continue its "suspension," than to withdraw from the agreement.

14. (C) The MFA considers the CFE Treaty a "relic" of the Cold War, and believes the Adapted Treaty was concluded when Moscow was still in a position of weakness at the end of the 1990's. Even though the power derived from its oil and gas wealth has been shaken by the financial crisis, the GOR does not consider it is operating from a position of weakness vis--vis the West at it did in 1999. In the past two years since Russia threatened to and then did suspend its participation in CFE, Moscow has taken our offers at compromise and pocketed them with no or little change in their demands. While there has been little movement on Russia's key demands for lifting its suspension of CFE (per the MFA, elimination of the flank limits as to Russia, collective ceilings or some accounting of NATO members' holdings, "guarantees" of ratification coupled with some kind of "provisional implementation" of the Adapted CFE Treaty, Baltic accession, and a definition of "substantial combat forces"), recent discussions with MFA officials indicate that Moscow may nonetheless be more open to compromise.

Istanbul Commitments and Flank Regime

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15. (C) As USOSCE elaborated (ref A), Moscow's frustration that NATO allies were holding up their ratification of the A/CFE until Moscow "fulfilled" its Istanbul commitments regarding Georgia and Moldova was a factor contributing to its suspension of the CFE in December 2007 and its demands that the A/CFE be changed to address Russia's concerns. As seen from Moscow, the two most difficult issues to resolve have been over Russia's fulfillment of the Istanbul Commitments, and Moscow's insistence that the flank regime be eliminated as to Russia (or entirely).

16. (C) Moscow considers its agreement to work off of the Parallel Actions Package a major concession, since Russia continues to dispute Allied contentions that it has not fulfilled its Istanbul Commitments, and still maintains that the Istanbul Commitments were not linked directly to ratification of the Adapted Treaty, i.e., that the Allies have moved the goal posts on Russia. Russia argues that "troops" and "peacekeepers" are different entities and that the Istanbul Commitments allowed it to keep its peacekeepers in Georgia and Moldova, pursuant to internationally-recognized mandates. Moscow acknowledges that the conflict in Georgia has made the issue much more complicated, given "the new realities on the ground." Still, MFA DVBR Counselor for CFE Sergey Federyakov indicated that Moscow was willing to consider transparency measures for both Gudauta and Moldova, and on the latter, to explore discussions within the OSCE process of the possible modalities for a future monitoring mission. As USOSCE has proposed, if we were willing to delink the submission of A/CFE for ratification procedures from the explicit preconditionality regarding Russian forces in the separatist regions that has characterized the U.S. position, it may give us a way forward on both CFE and Russia's presence in Abkhazia, South Ossetia, and Moldova.

17. (C) Equally problematic is the question of elimination of the flank regime. As USOSCE notes, this is at the heart of A/CFE and the principal element in President Clinton's explicitly stated readiness to submit the A/CFE for ratification. However, as experts here have told us, the fact that Moscow is the only country facing restrictions on

deployment of its forces and equipment on its own territory "really irritates Putin" (ref C), and there has been no flexibility on this issue since the suspension. But Federyakov told us that while Moscow still insisted on elimination of the flank limits, it might be possible to develop transparency measures, such as notification of force levels and equipment in the flank zones, that would be a partial substitute for the flank regime.

¶8. (C) Progress on these two issues may in turn open up resolution of other questions. A proposal by Allies to delink the Istanbul Commitments and submit the A/CFE for ratification within a specified timeline, possibly coupled with a willingness to "provisionally" abide by the terms of the Treaty (e.g., after/after Senate ratification) would likely enable us to fruitfully press Moscow for resolution of other remaining issues, such as over collective ceilings, a definition of "substantial combat forces," and Baltic accession.

CFE and EST

¶9. (C) Although some defense experts here maintain that CFE "is dead," because it is seen in Moscow as a vestige of the Cold War and not in keeping with a revitalized Russia, they acknowledge that Russia wants arms control in Europe and the predictability and transparency that a treaty like CFE provides. When asked about the link between CFE and Medvedev's EST proposal, Federyakov rejected any direct connection, insisting that the EST was simply a statement of principles and rules of behavior whereas CFE laid out specific obligations: exact mechanisms, parameters, limits, etc. He said Moscow was not looking to replace CFE with a new European arms control arrangement or to negotiate A/CFE within the framework of the EST, but believed it would be beneficial to have both EST and A/CFE. (Federyakov gave us a non-paper which he said had been previously delivered to the U.S., laying out the objectives, principles and criteria for arms control within the context of the EST - paper faxed to EUR/RUS).

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The Way Ahead

¶10. (C) In our view, it is unrealistic to expect that the low level of Russian interest in preserving the CFE can be leveraged into Moscow renouncing its strategic calculus in the frozen conflicts. The reality is that Russian heavy military equipment will remain in Abkhazia and South Ossetia for many years, with Moscow's near-term commitment to its satellite statelets hardening, not weakening. Regardless of the U.S. going-in position on the Parallel Actions Package, we must come to grips with the fact that in whatever deal we try to make, Russia will not withdraw its TLE from Georgia's breakaway regions for many years and certainly won't do it for CFE.

¶11. (C) Moscow will be looking to the June 10 conference in Berlin to hear the Allies' views of the way ahead on CFE, and Federyakov told us the MFA hopes the discussion will be informal and more of a "brainstorming" session than set remarks by each country repeating already-known positions. German Embassy officials told us there would be four elements to the conference: a stocktaking; the way forward; a regional approach within CFE regime; and the impact of new technical developments (e.g. drones) on CFE regime. While Russia will be looking for cracks in Allied unity and to widen any it finds, it will also be looking for new ideas Allies may have to suggest. Meeting bilaterally with Moscow on the margins of the conference could enable us to explore more thoroughly Russia's willingness to engage creatively.

Comment

¶12. (C) The two areas we have outlined - delinking ratification of A/CFE from the Istanbul Commitments and replacing the flank regime restrictions with transparency and CSBMs - would require a major revision of the Parallel Actions Package, as well as major changes to the nature of the A/CFE, including potentially to what would be submitted to the U.S. Senate for consideration. Maintaining the policies of the past years will lead to no progress on Istanbul Commitments and the effective if not actual death of CFE, with the concomitant negative effect on U.S.-Russian ties and cooperation in other areas.

¶13. (C) We recognize that Allies have faithfully supported our efforts to resolve the impasse over CFE with Russia and many will be reluctant to change positions. That said, the change in the U.S.-Russia relationship gives us the opportunity to explore a different approach, one we should develop through extensive consultations with Allies. MFA Director Voronkov is among the GOR officials who has linked progress on the A/CFE to improvements in the U.S.-Russian relationship. We can build on A/S Gottemoeller's consultations, FM Lavrov's May 7 meeting with the Secretary and bilateral consultations at the June 10 experts meeting in Berlin to gauge Russian flexibility in finding a way forward.

RUBIN